

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FELIPE PLANES,

Petitioner,

Case No. 07-cv-14000

Paul D. Borman
United States District Judge

v.

Paul J. Komives
United States Magistrate Judge

MARY K. BERGHUIS,

Respondent.

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OPINION AND ORDER

(1) ADOPTING THE MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION (DKT.22);

(2) REJECTING PETITIONER'S OBJECTIONS TO THE REPORT AND
RECOMMENDATION (DKT. NO. 26);

(3) DENYING PETITIONER'S AMENDED PETITION FOR
HABEAS CORPUS (DKT. NO. 7); AND

(4) DENYING A CERTIFICATE OF APPEALABILITY

This matter is before the Court on Petitioner's Objections (Dkt. No. 26) to the Magistrate Judge's June 30, 2010 Report and Recommendation (Dkt. No. 22). Having conducted a *de novo* review of the Report and Recommendation, pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b)(3), and having carefully considered the entire record, the Court is convinced that the Magistrate Judge is correct in his analysis of the facts and the law in this case.

Accordingly, the Court:

- (1) ADOPTS the Report and Recommendation (Dkt. No. 22);
- (2) REJECTS Petitioner's Objections to the Report and Recommendation (Dkt. No. 26);

- (3) DENIES Petitioner's Amended Petition for Habeas Corpus (Dkt. No. 7); and
- (4) DENIES a certificate of appealability for the reasons stated in the Report and Recommendation.

IT IS SO ORDERED.

S/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: October 5, 2010

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on October 5, 2010.

S/Denise Goodine
Case Manager